

# **FISCAL MEMORANDUM**

## **SB 1183 – HB 1591**

May 24, 2007

**SUMMARY OF AMENDMENTS (008144, 008619):** Amendment 008144 deletes the language of the original bill and extends governmental tort liability limits to entities that contract with the Regional Transportation Authority for the provision of transport services or the operation or maintenance of facilities or rail lines associated with the Authority. From July 1, 2007 until June 30, 2012 limits for railway incidents would be \$2,000,000 for any one person and \$30,000,000 for any one incident. From July 1, 2012 until June 30, 2017, limits for any one person would be \$3,000,000 and \$50,000,000 for any one incident. The regional transportation authority would be required to maintain a self-insurance retention fund not to exceed \$2,000,000 to be used as a first fund source for the payment of any tort claim arising from any rail transit incident. Amendment 008619 would add a severability clause to the provisions of the bill.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Other Fiscal Impact – Extending tort liability limits to such entities may result in a decrease in state expenditures due to lower contract costs for the Authority. The amount of such decrease is difficult to quantify due to the varied size of contracts, variable liability applicable to different projects and the projection of the cost of such contracts in the absence and in the presence of this bill.

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendments:

- Any impacted regional transportation authority already has a self-insurance retention fund in place.
- Extension of governmental tort liability limits will not result in any increases in state expenditures.
- The addition of a severability clause will not have a fiscal impact on the bill.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/ce